

REMARKS

Reconsideration of the pending application is respectfully requested in view of the following observations.

1. Rejection of claims 1-6, 8-12, 14-17, 19, 32, and 35 under 35 USC 103(a) over US patent 6,155,605 (*Bratchley*) in view of US patent 5,169,155 (*Soules*) and US patent 4,496,961 (*Devrient*)

Rejection of claim 7 under 35 USC 103(a) over US patent 6,155,605 (*Bratchley*) in view of US patent 5,169,155 (*Soules*), US patent 4,496,961 (*Devrient*), and EP 0 052 624 (*Kaule*)

Rejection of claims 33 and 34 under 35 USC 103(a) over US patent 6,155,605 (*Bratchley*) in view of US patent 5,169,155 (*Soules*), US patent 4,496,961 (*Devrient*), and *Anti-Stokes Phosphors/Luminophors (ASPL)*

Reconsideration of the rejection is respectfully requested in view of the following observations.

It is acknowledged in the Office Action (on page 7) that the prior art of *Bratchley*, *Soules*, *Devrient*, *Kaule*, or *ASPL* does not teach or suggest the previously amended feature in claim 1 of the upgrade of the value document of a series in addition to or instead of the first feature substance comprises a third feature substance. The Office Action further adds that the apparatus claim must be differentiated from the prior art by structure.

It is submitted that the previously amended feature distinguishes the claims from the prior art based on the structure claimed.

Paragraph [0036] of the specification discloses that in originally issued currency only the first feature substance can be present, and in an upgraded bank-note issue the first feature substance and the third feature substance may both be present. More specifically, for example, in the first series or version of the value document, only the first feature substance is used. The value document is continually improved and in an upgrade to the original series, a third feature substance is introduced into the value document. As a result, depending on whether the bank note is originally issued currency or an upgrade of the originally issued currency, the first feature substance is present, the first and third feature substances are present, or only the third feature substance is present.

Thus, the single value document contains either the first feature substance, the first and third feature substances, or the third feature substance depending on when the value document was issued.

Furthermore, the presence or absence of a feature substance in the value document directly affects the structure of the currency since the feature substance is a material object located in the value document. Because the presence or absence of a feature substance in a value document materially changes the structure of the document, the previously amended feature clearly distinguishes the value document of claim 1 from the prior art.

Accordingly, the value document which contains the first feature substance and/or the third feature substance is distinguished over the prior art on the basis of the structure of the value document.

Moreover, claims 2-12, 17, 19, and 32-35 depend from claim 1 and are likewise allowable in view of their dependency from claim 1 and their individually recited features.

Withdrawal of the rejection of the claims in view of the prior art is kindly requested.

2. Conclusion

In view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that every pending claim in the present application be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicant's attorney, the examiner is invited to contact the undersigned at the numbers shown below.

BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314-1176
Phone: (703) 683-0500
Facsimile: (703) 683-1080

Date: January 7, 2011

Respectfully submitted,

/Justin J. Cassell/

JUSTIN J. CASSELL
Attorney for Applicant
Registration No. 46,205